

Warrant for Annual Town Meeting

Tuesday, April 4, 2006

To either of the Constables of the Town of Stoneham in the County of Middlesex,
GREETING:

In the name of the Commonwealth of Massachusetts, you are directed to notify and warn the inhabitants of the Town of Stoneham qualified to vote in elections and Town affairs to meet in the **Town Hall, 35 Central Street**, on Tuesday, April 4, 2006, at seven o'clock in the forenoon to act on the following articles of this warrant:

Article 1. To choose the following officers:

Two (2) Selectmen for three (3) years.

One (1) Planning Board Member for five (5) years.

One (1) Board of Health Member for three (3) years.

Two (2) School Committee Members for three (3) years.

One (1) Board of Assessors Member for three (3) years.

Three (3) Constables for three (3) years.

Two (2) Library Trustees for three (3) years.

One (1) Housing Authority Member for five (5) years.

Question #1

Shall the Town of Stoneham be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bonds issued in order to:

- Remodel the Stoneham Arena;
- Remodel and Furnish the Senior Center;
- Construct the Par 3 Golf Course;
- Remodel the Unicorn Pro Shop/Golf Course;
- Repair and Replace the DPW Building Roof;
- Construct the Town Common/Public Parking Lot;
- Construct and Remodel the Police Station;
- Improve the Town Drainage System;
- Purchase Street Lights;
- Improve Drainage at Elm Street and Franklin Street;
- Repair and Replace the East School Boiler;

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Refurbish Fire Engine #4;
Purchase Police Cruisers (May 8, 2003 Annual Town Meeting);
Purchase Police Cruisers (October 24, 2005 Special Town Meeting);
Repair and Replace the Middle School and the High School Doors; Repair and Replace the High School and the Middle School Roof; Repair and Replace Ceiling Tiles, Plexiglas Windows, the Electrical System and the Heating System at the Middle School and High School; Repair and Replace the Middle School Boiler (October 27, 2003 Special Town Meeting, May 3, 2004 Annual Town Meeting, and May 2, 2005 Annual Town Meeting);
Construct, Reconstruct and Repair the Sidewalks;
Purchase a Fire Pick-up Truck;
Improve the Fire Station Ventilation System; and
Repair the High School Bleachers (October 24, 2005 Special Town Meeting and May 1, 2006 Annual Town Meeting)?

YES _____

NO _____

Question #2

Non-Binding Public Advisory Question

Should the Board of Selectmen vote to continue the current trash fee for Fiscal Year 2007, (July, 2006 – June, 2007)? The annual trash fee is \$150 per dwelling unit (\$100 for senior citizens who qualify for a real estate tax exemption) and includes the cost of a Stevens Street recycling sticker that otherwise has a \$20 cost. The trash fee results in approximately Nine Hundred Fifty Thousand Dollars (\$950,000) in revenue to pay for trash pick-up, recycling and disposal. Residents (dwelling units) who have secured an alternative disposal means are not required to pay the trash fee.

YES _____

NO _____

All on one ballot.

The polls for the Annual Town Election shall be closed at eight o'clock in the evening.

For consideration of the following Articles, the meeting shall be adjourned to meet in the **Town Hall** at 7:30 o'clock in the evening on Monday, May 1, 2006, in accordance with provisions of Article II, section 2-3 of the By-Laws of the Town of Stoneham.

Article 2. To choose all other necessary Town officers for the ensuing year in such a manner as the Town may determine.

Board of Selectmen

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Article 3. To hear the reports of Town officers and committees and to act thereon and to choose committees.

Board of Selectmen

Article 4. To see if the Town will vote to fix the salaries of the several elective officers and the Boards of the Town for the 2006/2007 fiscal year.

Board of Selectmen

Article 5. To see if the Town will vote to amend the Stoneham Town Code, Chapter 15, Zoning Bylaws, amending Section 4.1.3.1 by adding the following sentence at the end of said Section: "An area of up to twenty-five percent (25%) of the net floor area of a public building may be used for a non-public office use(s)."

Section 4.1.3.1, as amended would read as follows:

4.1.3 *Uses Permitted in All Districts:*

4.1.3.1 Public Building or use, but not including a correctional institution or a mental hospital. An area of up to twenty-five percent (25%) of the net floor area of a public building may be used for a non-public office use(s).

Or do anything in relation thereto.

Board of Selectmen

Article 6. To see if the Town will vote to authorize the transfer of the care, custody, management and control of a parcel of land including any appurtenant rights in Fallon Road, a private way, to the Board of Selectmen for the purpose of the sale of said land. Said parcel of land was acquired by the Town as part of a taking by the Commonwealth of Massachusetts evidenced in a document recorded with the Middlesex South District Registry of Deeds in Book 12186, Page 621. Said parcel of land is located between Fallon Road and the previous layout of Fallon Road. Said parcel contains 2,608 square feet more or less and is more particularly described as follows:

NORTHERLY: twenty-four and five hundredths (24.05) feet as shown on a plan entitled "The Commonwealth of Massachusetts Plan of Road in the Town of Stoneham Middlesex County Altered and laid out as a State Highway by the Department of Public Works" dated March 29, 1972, drawn by Frederick Esper R.L.S. and recorded with said Registry as Plan No 350 of 1972;

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NORTHEASTERLY: seventy-six and sixty-two hundredths (76.62) feet as shown on said Plan;

SOUTHERLY: forty-one and twenty-five hundredths (41.25) feet by Fallon Road (Not an accepted Town L.O.) as shown on said Plan and

WESTERLY: ninety and seventy-six hundredths (90.76) feet as shown on said Plan.

**Charles F. Houghton et al
15 Kimball Drive**

Article 7. To see if the Town will vote to

a. Authorize the transfer of the care, custody, management and control of a parcel of land no longer needed for school or school related purposes, located between the main driveway of the Stoneham High School and Emerald Court; said property is a portion of No. 152 on Assessors Map 8, between parcel 155 to the South and parcels 153 and 154 to the North containing approximately 13,500 square feet of land, to the Board of Selectmen – all according to the Plan of Lot A#10 Emerald Court in Stoneham, Massachusetts” by Robert E. Grover, Town Engineer, and subject to the sewer easement as show, pursuant to the provisions of Section 15A of Chapter 40 of the Massachusetts General Laws – for: (i) municipal purposes, including, but not limited to Department of Public Works purposes and/or (ii) for purposes of sale, and

b. Authorize the Board of Selectmen and/or the Town Administrator to sell said parcel of land referenced in Subparagraph (a) above in accordance with the provisions of Section 3 of Chapter 40 of the Massachusetts General Laws.

Or do anything in relation thereto.

Board of Selectmen

Article 8. To see if the Town will vote to petition the Legislature to pass an act abolishing the Town of Stoneham Retirement Board and transferring all of the responsibilities and duties of the Stoneham Retirement Board to the State [Commonwealth of Massachusetts] Retirement Board. The Town employees will remain employees of the Town and will not become employees of the Commonwealth. The Town will remain liable for any unfunded liability existing as of the date of the transfer, and shall annually reimburse the state board of retirement for the employer’s normal cost, as determined by the actuary, of benefits earned during each year by such Town employees who are members of the state employees’ retirement system. The actuary shall determine such cost as a percentage of the payroll of the Town for such employees based upon the most recent actuarial valuation of the state retirement system. Said

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reimbursed amount shall be deposited in the pension reserve fund of the state employees' retirement system. And further to authorize the Board of Selectmen or its authorized agents to take any action necessary to carry out this vote. Or do anything in relation thereto.

Board of Selectmen

Article 9. To see if the Town will vote to accept Section 1 of Chapter 157 of the Acts of 2005.

Section 1. Subdivision (2) of section 7 of chapter 32 of the General Laws, as appearing in the 2004 Official Edition, is hereby amended by adding the following paragraph:

(e) Any member of Group 1 or Group 2 or Group 4, who is a veteran as defined in section 1, shall receive an additional yearly retirement allowance of \$15 for each year of creditable service or fraction thereof, but the total amount of this additional yearly retirement allowance shall not exceed \$300. This paragraph shall only take effect upon its acceptance by the majority vote of the board of a system, subject to the approval of the legislative body. For purposes of this paragraph, legislative body shall mean in the case of a city the city council in accordance with its charter, in the case of a town the town meeting, in the case of a county the county retirement board advisory council, in the case of a district the district members, in the case of an authority the governing body and in the case of a regional retirement system, the regional retirement board advisory council.

Stoneham Retirement Board

Article 10. To see if the Town will vote to reauthorize the revolving fund that was voted under Massachusetts General Law Chapter 44, Section 53E1/2 for the purpose of using receipts generated through registration fees and other revenues for Recreation Programs to pay the costs of the Recreation program and related expenses, and authorize expenditures by the Recreation Program Coordinator, not to exceed \$200,000 during Fiscal Year 2007 which may be made from such fund. In addition, transfer any balance remaining on June 30, 2006 from the existing Revolving account into the reauthorized Revolving account. Or do anything in relation thereto.

Board of Selectmen

Article 11. To see if the Town will vote to establish a revolving fund under Massachusetts General Law Chapter 44, Section 53E1/2 for the purpose of using receipts generated through permit fees charged for field usage at Broadway Park, Recreation Park, Pomeworth Park, East School Field, Colonial School Field, Robin Hood Field, and the High School Field to pay the costs of maintaining these fields, and

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authorize expenditures by the DPW Director, not to exceed \$125,000 during Fiscal Year 2007 which may be made from such fund, or do anything in relation thereto.

Board of Selectmen

Article 12. To see if the Town will vote to authorize the Town Administrator to lease or rent any or all of the following portions of the second floor of the Stoneham Senior Center (located at 136 Elm Street) for a period of up to ten (10) years: four contiguous (4) rooms totaling approximately seven hundred fifty (750) square feet.

Or do anything in relation thereto.

Board of Selectmen

Article 13. To see if the Town will vote to reauthorize a revolving fund under Massachusetts General Law Chapter 44, section 53E1/2 for the purpose of using receipts generated from renting office space at the Senior Center to pay the cleaning and maintenance costs of the Senior Center, and authorize expenditures by the Senior Center Director, not to exceed \$50,000 during Fiscal Year 2007 which may be made from such fund. In addition, transfer any balance remaining on June 30, 2006 from the existing Revolving account into the reauthorized Revolving account. Or do anything in relation thereto.

Board of Selectmen

Article 14. To see if the Town will vote to authorize the Town Administrator to enter into a lease of up to three (3) years with up to two (2) additional option years (which option(s) shall be at the sole discretion of the Town, through its Town Administrator) for the Stoneham Arena's Concessions, Pro Shop, and/or Vending Machines so as to allow a third-party to operate all or any one of these operations for uses which shall include, but not be limited to, those uses currently serving Stoneham residents and organizations, or do anything in relation thereto.

Board of Selectmen

Article 15. To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sum of money to design and construct a Stoneham sports facility behind the Stoneham (Unicorn) Arena, to include: (i) an indoor facility and field for athletics, sports and related events, including, but not limited to, soccer, lacrosse and field hockey, and (ii) an additional skating facility, and to further

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authorize the Town Administrator to take any action necessary to effectuate said design and construction; or do anything in relation thereto.

Board of Selectmen

Article 16. To see if the Town will vote to transfer a sum of money from the Town Stabilization Fund as revenue to be applied to the Town's FY07 Budget.

Board of Selectmen

Article 17. To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow, \$60,000 to purchase Firefighter Turnout Gear and Equipment, or do anything in relation thereto.

Board of Selectmen

Article 18. To see if the Town will vote to raise and appropriate or transfer from available funds \$30,000 for the purpose of embellishing Lindenwood Cemetery by purchasing equipment, or do anything in relation thereto.

Board of Selectmen

Article 19. To see if the Town will vote to raise and appropriate or transfer from available funds \$300,000 for the purpose of defraying the cost of constructing water mains or replacing or relining existing water mains, hydrant replacement, water meter installations, purchasing equipment, or maintain the water system within the limits of the Town, or do anything in relation thereto.

Board of Selectmen

Article 20. To see if the Town will vote to raise and appropriate or transfer from available funds \$250,000 for the purpose of defraying the cost of construction or rehabilitation of sewer mains, manholes, pump stations or appurtenances, purchasing equipment, or maintain the sewer system within the limits of the Town, or do anything in relation thereto.

Board of Selectmen

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Article 21. To see if the Town will vote to appropriate \$309,211 to be received by the Town from the State Highway Funds account Chapter 291B of the Acts of 2005, Commonwealth of Massachusetts for the purpose of continuing the permanent construction program on Public Ways within the Town or other eligible municipal projects and authorize the Town Administrator to make such expenditure, or do anything in relation thereto.

Board of Selectmen

Article 22. To see if the Town will vote to raise and appropriate or transfer from available funds, or borrow \$35,000 to fund additional costs associated with the replacement of wood decking on the High School bleachers as originally approved under Article 12 of the October 24, 2005 Town Meeting.

Or do anything in relation thereto.

School Committee

Article 23. To see if the Town will vote to raise and appropriate or transfer from available funds, or borrow \$215,000 to fund costs associated with the repair and replacement of approximately 20,000 square feet of roofing at the High School.

Or do anything in relation thereto.

School Committee

Article 24. To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to amend the Fiscal Year 2006 department budgets approved under Article 23 of the May 2, 2005 Annual Town Meeting, as amended, or do anything in relation thereto.

Board of Selectmen

Article 25. To see if the Town will vote to raise and appropriate, or transfer from available funds, or borrow a sum of money to pay prior year invoices, or do anything in relation thereto.

Board of Selectmen

Article 26. To see if the Town will vote to raise and appropriate from taxation or by transfer from available funds, such sums as may be necessary to defray Town charges for the ensuing year, including debt and interest and a reserve fund, or do anything in relation thereto.

Board of Selectmen

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And you are directed to have five hundred (500) copies of the Warrant printed and to serve the same by posting duly attested copies in at least ten (10) public places in the town seven (7) days at least before the time for holding said meeting and by causing a duly attested copy of the said Warrant to be published in some newspaper in the Town, the publication to be not less than three (3) days before said meeting.

The remaining copies you are to have at the place and time of said meeting as aforesaid.

Hereof fail not and make due return of this Warrant with your doings thereon to the Town Clerk at the time and place aforesaid.

Given unto our hands this fourteenth day of March in the year of our Lord two thousand six.

Board of Selectmen

Robert W. Sweeney, Chairman

Cosmo M. Ciccarello

John F. DePinto

Anthony C. Kennedy

George E. Seibold

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